

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

MAY 19 2016

for the

Southern District of Texas

Clerk of Court

United States of America)
 v.)
 Luis AGUILAR, a/k/a Magdalemo Ordonez Aguilar)
 YOB: 1952 Citizenship: Mexico)

Case No.

M-16-0965-M
 (Related: M-16-921)
 M-16-971)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 18, 2016 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. § 1326

Re-Entry After Removal

being then and there an alien who had previously been deported from the United States to the United Mexican States in pursuance of law, and thereafter was found near McAllen, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.



Complainant's signature

Brian Yontz, HSI Task Force Officer

Printed name and title

Approved Joseph Leonard

Sworn to before me and signed in my presence.

Date: 5/19/2016

Judge's signature

City and state: McAllen, Texas

U.S. Magistrate Judge Dorina Ramos

Printed name and title

Attachment "A"

On May 18, 2016, Homeland Security Investigations McAllen (HSI) Special Agents (SAs) executed a federal search warrant at 3408 Aaron Street Mission, Texas. The owner of the home, Luis AGUILAR Sr. and his son, Luis AGUILAR Jr., had been identified by several witnesses as alien smugglers. Both subjects were encountered at the residence. During the search of the home a 9mm handgun was located and seized. Miscellaneous documents and cell phones were also seized from the residence.

At HSI McAllen, Special Agents Carlos Martinez and Irineo Garza read AGUILAR Sr. his Miranda Rights in the Spanish language. AGUILAR Sr. agreed to speak with agents without the presence of an attorney. AGUILAR Sr. admitted to being illegally present in the United States, previously being removed by an Immigration Judge. During his interview, AGUILAR Sr. admitted to harboring undocumented aliens at his home with the assistance of his son, AGUILAR Jr. AGUILAR Sr. stated that he had provided food to UDAs that his son had previously harbored in their home.

A search of AGUILAR's biographical and fingerprint data revealed that he is a convicted felon, having been arrested on March 3, 1979 for transporting aliens. AGUILAR Sr. was subsequently convicted and sentenced to 5 years probation. AGUILAR Sr. was placed in deportation proceedings on February 4, 1980. On December 8, 2007 AGUILAR was charged with re-entry after deport and was sentenced to 70 months confinement. AGUILAR has used the alias: Magdalemo Ordonez Aguilar.